



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/629,080	07/29/2003	Helio Vieira Alves	3129-6051US	5962

24247 7590 07/27/2004

TRASK BRITT
P.O. BOX 2550
SALT LAKE CITY, UT 84110

EXAMINER

VAN, QUANG T

ART UNIT PAPER NUMBER

3742

DATE MAILED: 07/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/629,080

Applicant(s)

ALVES, HELIO VIEIRA

Examiner

Quang T Van

Art Unit

3742

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-5 and 7-14 is/are rejected.
- 7) ☒ Claim(s) 6 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 29 July 2003 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 7/29/03.
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: ____.

Drawings

1. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they do not include the following reference character(s) mentioned in the description: "Safety Valve 13" recited on page 5, par. 0017, line 6, is not shown in drawings. Also, reference number "7" in Figure 1A and "29" in Figure 11 are not mention in specification. Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

2. The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.

Art Unit: 3742

- (d) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC (See 37 CFR 1.52(e)(5) and MPEP 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text are permitted to be submitted on compact discs.) or REFERENCE TO A "MICROFICHE APPENDIX" (See MPEP § 608.05(a). "Microfiche Appendices" were accepted by the Office until March 1, 2001.)
- (e) BACKGROUND OF THE INVENTION.
 - (1) Field of the Invention.
 - (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.
- (f) BRIEF SUMMARY OF THE INVENTION.
- (g) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).
- (h) DETAILED DESCRIPTION OF THE INVENTION.
- (i) CLAIM OR CLAIMS (commencing on a separate sheet).
- (j) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).
- (k) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

The specification of this application is objected because the (f) BRIEF SUMMARY OF THE INVENTION and (g) BRIEF DESCRIPTION OF THE INVENTION are missing in the specification. It is suggested that the applicant should use the above information as a guideline. Correction is required.

3. The specification is objected to because of the following informalities: a reference character "14" has been used to designate both "the lug 14" recited on page 6, par. 0019, line 4, and "the receptacle 14" recited on page 6, par. 0020, line 4. Correction is required.

4. The specification is objected to because of the following informalities: "FIGURE 3.1" recited on page 6, par. 0019, line 1, "FIGURE 5.1" recited on page 6, par. 0021,

Art Unit: 3742

line 2, and "FIGURE 6.1" recited on page 6, par. 0022, lines 1-2, do not correspond to the drawings. Correction is required.

Claim Objections

5. Claim 4 is objected to because of the following informalities: said first and second circular cover" is lack antecedent basis from specification. Correction is required.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claim 4 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 4, "said first and second circular cover" recited in line 1 is indefinite because it has no antecedent basis from the claim and preceding claim. Correction is required.

NOTE: For purpose of examination, it is presumed that "said first and second circular cover" is changed to "said circular cover".

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 3742

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1-5, 7-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bowen et al (US 4,386,109) cited by applicant, in view of Levendusky et al (US 4,558,198) and Bender (US 3,333,527). Bowen discloses a microwave espresso coffee maker and process comprising a boiling receptacle (24) having a first opening (48), a side wall, and a base (40) disposed opposite said first opening (48), said base (40) defining an excavation hole (42) therein, a substantially circular cover (28) having a first end and a second end, said circular cover (28) defining an aperture for housing a filter (62), said first end of said cover (28) being removably mounted to said first opening (48) of said boiling receptacle (24); a filter (62) having a plurality of holes (60), said filter being housed within said aperture of said circular cover (28); and a serving receptacle (26) having a draining opening, a second opening, a metallic inner wall (col. 5, line 40), and said serving receptacle (26) being removably mounted to said second end of said circular cover (28). However, Bowen does not disclose a metallic inner wall coated with polymeric material and a liquid flowing nozzle. Levendusky discloses a metal container, for use in microwave oven, having a polymeric material coated on both side of surfaces of the walls. Bender discloses a serving receptacle (14) having a liquid flowing nozzle (92). It would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize in Bowen a metallic inner wall coated with polymeric material as taught by Levendusky in order to prevent from corrosion and from arcing between container and other metal objects in the oven, including oven walls; and a

liquid flowing nozzle as taught by Bender for easy pouring liquid while serving. With regard to claim 10, heating said multiboiling apparatus a first time sufficiently and heating said multiboiling apparatus a second time sufficiently. Bowen discloses heating a multiboiling apparatus only one time. It would have been obvious to one having ordinary skill in the art to heating a multiboiling apparatus a first time and a second time. Doing so would moisture the coffee grounds prior to boil a coffee grounds with a multiboiling apparatus. With regard to claim 13, rotating said multiboiling apparatus longitudinally 180 degrees subsequent to heat said multiboiling apparatus said first time and prior to heat said multiboiling apparatus said second time. It would have been obvious to one having ordinary skill in the art to rotate said multiboiling apparatus longitudinally 180 degrees subsequent to heat said multiboiling apparatus said first time. Doing so would prevent water leaking to the coffee ground in the filter if accidentally over heated in the first time.

10. Claim 6 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

11. The following is a statement of reasons for the indication of allowable subject matter: the prior art of record does not show or suggest said second opening of said serving receptacle includes an internal protrusion, an upper wall, and a plurality of fit openings as recited in claim 6.

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Knodt et al (US 3,336,857) discloses invertible drip coffee maker. Katz et al (US 5,079,396) discloses a microwave coffee percolating device.

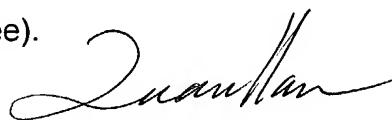
13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quang T Van whose telephone number is 703-306-9162. The examiner can normally be reached on 8:00Am 7:00Pm M-Th.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robin Evans can be reached on 703-305-5766. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



QV
July 23, 2004



Quang T Van
Primary Examiner
Art Unit 3742